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**From:** Zapata, Cesar [Zapata.Cesar@epa.gov]  
**Sent:** 8/19/2019 3:20:56 PM  
**To:** Mitchell, Ken [Mitchell.Ken@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Gordon, Scott [Gordon.Scott@epa.gov]  
**CC:** Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Worley, Gregg [Worley.Gregg@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]  
**Subject:** RE: Kinder Morgan Issue

ENFORCEMENT CONFIDENTIAL

That's not our understanding. Because of the difficulty of fixing the valve and the disruption it would cause on gas supply, they would like to get an extension on the requirement to fix the leak. We need to work with them to figure out what would be a reasonable schedule to fix the valve.

Originally they have asked for an applicability determination, and I think they know now that the requirement is applicable to them. So, they are asking for the extension. There is more information we need to obtain from them.

César A. Zapata  
Acting Chief  
Air Enforcement Branch  
United States Environmental Protection Agency, Region 4

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**From:** Mitchell, Ken <Mitchell.Ken@epa.gov>  
**Sent:** Friday, August 16, 2019 5:08 PM  
**To:** Zapata, Cesar <Zapata.Cesar@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>  
**Cc:** Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Worley, Gregg <Worley.Gregg@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>  
**Subject:** RE: Kinder Morgan Issue

Thank you Cesar....

So basically, KM would like for this to be a "not covered" issue and just let the line continue to leak for the foreseeable future?

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**Kenneth L. Mitchell, Ph.D.** | Deputy Director |  
Air and Radiation Division  
U.S. Environmental Protection Agency | 61 Forsyth Street, SW | Atlanta, GA 30303  
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**From:** Zapata, Cesar <Zapata.Cesar@epa.gov>  
**Sent:** Friday, August 16, 2019 3:28 PM  
**To:** Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>  
**Cc:** Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Worley, Gregg <Worley.Gregg@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>  
**Subject:** Kinder Morgan Issue

## ENFORCEMENT CONFIDENTIAL – DO NOT RELEASE

I wanted to give you a heads up about an issue with Kinder Morgan (KM) regarding an applicability determination of NSPS OOOOa and potential non-compliance with the NSPS. The Air & Radiation Division (ARD) has been working with KM on the applicability determination. KM could potentially be out of compliance starting next week. The work needed to bring the facility into compliance will reduce the gas supply to the Atlanta Metro Area, South Carolina and Florida by 30-40% for six to eight weeks, and the generation of emissions from depressurization of the transmission pipeline to enable the repair will significantly exceed current emissions.

KM reached out to the Air Enforcement Branch (AEB) on August 15 to discuss ways to obtain an extension to the compliance deadline, which is **August 21, 2019**. The AEB discussed with KM that there are no mechanisms in the rule to extend the compliance deadline, but that to address any potential non-compliance we would need to enter into some kind of compliance agreement that will include a compliance schedule and measures to minimize current emissions.

The AEB will discuss the issue with ORC and decide what is the best enforcement mechanism to use for this situation. The AEB committed to reach out to KM next week to potentially set up a call or a meeting to discuss a path forward. We expressed our understanding of the situation and that we will work with them to find the least disruptive option.

Feel free to contact Jason or me if you have any questions. Gregg Worley has also been involved in this issue.

### Background

- Kinder Morgan (KM) owns and operates a compressor station in an ozone attainment area in Georgia, which is subject to the fugitives emissions monitoring requirements of NSPS OOOOa.
- On July 10, 2019, Kinder Morgan (KM) submitted an Applicability Determination request to Region 4 asking if a mainline valve (MLV) is subject to fugitives monitoring under NSPS OOOOa. An MLV is required by the Pipeline and Hazardous Materials Safety Administration (PHMSA) for safety purposes.
- KM believes the MLV is not part of the compressor station because it is functionally independent of the compressor station.
- EPA staff in OAQPS, Region 4 and MAMPD believe the MLV is part of the compressor station site and subject to fugitives monitoring and repair requirements because it is located within fence line of the compressor station. NSPS OOOOa applies to “any” component that has the potential to emit fugitive emissions of methane or VOC at a compressor station, including but not limited to valves
- The MLV has been leaking natural since August 2017.
- Because the MLV is leaking natural gas, applicability of the rule triggers a repair requirement.
- KM has made several attempts at repair, but now believes the transmission pipeline will have to be shut down and depressurized, before the repair can be made.
- KM states this will impact the natural gas supply to the Atlanta Metro Area, South Carolina and Florida for at least six to eight weeks and will reduce the gas supply by 30-40% during that time.
- As required by the rule, the final date for repair is **August 21, 2019**. After that date, KM will be out of compliance with the repair requirements of the rule.
- According to KM, in addition to the natural gas service disruption, depressurizing the transmission pipeline (to enable the repair) will generate more emissions than currently are being emitted
- Current emissions estimated at 0.024 TPY VOC/72.80 metric tons (MT) CO<sub>2</sub>e vs. an immediate release of 6.6 tons VOC/19,920.51 MT CO<sub>2</sub>e from the depressurization of the pipeline (e.g. “blowdown”).

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Acting Chief  
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